

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PICTURE PATENTS, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
	)	Civil Case No. 07cv5567
	)	
AEROPOSTALE, INC., DICK'S	)	AFFIDAVIT NO. 1 IN SUPPORT OF
SPORTING GOODS, INC., CHARLOTTE	)	PLAINTIFF'S OPPOSITION TO
RUSSE, INC., GSI COMMERCE	)	DEFENDANTS' MOTION TO
SOLUTIONS, INC., FOGDOG, INC.,	)	DISMISS
NATIONAL BASKETBALL	)	
ASSOCIATION, INC., NBA	)	
PROPERTIES, INC., NBA MEDIA	)	
VENTURES, LLC, MAJOR LEAGUE	)	
BASEBALL PROPERTIES, INC., MLB	)	
ADVANCED MEDIA, L.P., LINENS 'N	)	
THINGS, INC., TWEETER HOME	)	
ENTERTAINMENT GROUP, INC.,	)	
TWEETER NEWCO, LLC, TWEETER	)	
OPCO, LLC, BUY.COM, INC.	)	
	)	
Defendants.	)	

Srilakshmi M. Ravi, being duly sworn, deposes and states:

1. I am an Associate at Alston & Bird LLP, attorneys for Plaintiff Picture Patents, LLC, in the above-entitled action and I am familiar with the facts set forth herein. The facts contained in this Affidavit are based on my personal knowledge.

2. A true and correct copy of the March 28, 2008 Dun & Bradstreet Report for Schultze Asset Management, LLC, stating that Schultze Asset Management, LLC is located at 3000 Westchester Avenue, Suite 204 Purchase NY 10577, is attached hereto as **Exhibit A**.

3. A true and correct copy of the Schultze Asset Management, LLC webpage, located at <http://www.samco.net/contact.htm> (last accessed April 14, 2008), stating that Schultze Asset Management, LLC is located at 3000 Westchester Avenue, Suite 204 Purchase NY 10577, is attached hereto as **Exhibit B**.

4. A true and correct copy of the March 28, 2008 Dun & Bradstreet Report for Tweeter Newco LLC, stating that Tweeter Newco LLC began in 2007 after Schultze Asset Management, LLC invested \$38,000,000 in July 2007 to purchase the assets of Tweeter Home Entertainment Group, Inc., is attached hereto as **Exhibit C**.

5. A true and correct copy of the July 13, 2007 Boston Globe news article, located at [http://www.boston.com/business/articles/2007/13/ny\\_firm\\_to\\_acquire\\_tweeter\\_for\\_38m/](http://www.boston.com/business/articles/2007/13/ny_firm_to_acquire_tweeter_for_38m/) (last accessed March 38, 2008), detailing that Schultze Asset Management, LLC of Purchase, NY purchased Tweeter's assets for \$38 million, is attached hereto as **Exhibit D**.

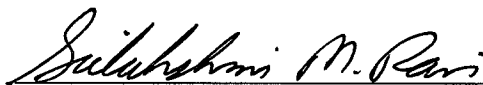
6. A true and correct copy of the September 6, 2007 Reuters news article, located at <http://www.reuters.com/articlePrint?articleId=USWNAS358220070906> (last accessed March 38, 2008), detailing that Tweeter Newco LLC is a privately held portfolio company of Schultze Asset Management LLC and that Schultze provided Tweeter with a new \$20 million term loan, is attached hereto as **Exhibit E**.

7. A true and correct copy of the Schultze Asset Management, LLC webpage, located at <http://www.samco.net/schultze.htm> (last accessed April 14, 2008), stating that George J. Schultze currently serves on the creditor committee for Tweeter Home Entertainment Group, Inc.'s Post-Petition Lender's Committee and that Mr. Schultze was elected to the Board of Directors for Tweeter Newco, LLC, is attached hereto as **Exhibit F**.

8. A true and correct copy of the August 19, 2007 Boston Herald news article, located at <http://www.bostonherald.com/business/general/view.bg?articleid=1017914> (last accessed April 14, 2008), stating that Schultze Asset Management LLC, a Purchase, N.Y.-based investment firm, notified 80 Tweeter workers from the level of vice president on down in the merchandizing, marketing, engineering and corporate communications divisions, via letters from the company head George Schultze that their employment was terminated effectively, is attached hereto as **Exhibit G**.

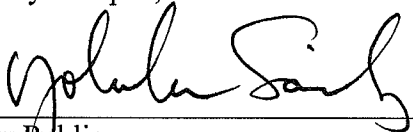
I DECLARE UNDER THE PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated this 14<sup>th</sup> day of April, 2007.



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(212) 922-3856 (facsimile)  
srilu.ravi@alston.com

Sworn to before me this  
14<sup>th</sup> day of April, 2008



Notary Public

YOLANDA SANCHEZ  
Notary Public, State of New York  
No. 01SA6157467  
Qualified in Bronx County  
Commission Expires Dec. 11, 2010